

1 QUIN DENVER, Bar #49374  
2 Federal Defender  
3 LINDA HARTER, Bar # 179741  
4 Assistant Federal Defender  
5 801 I Street, 3rd Floor  
6 Sacramento, California 95814  
7 Telephone: (916) 498-5700

OK/HAV

5 Attorney for Defendant  
6 COREY LYNN BINGHAM

7  
8 IN THE UNITED STATES DISTRICT COURT  
9  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, ) No. CR-S-05-0089 DFL  
12 Plaintiff, )  
13 v. ) STIPULATION AND [PROPOSED ORDER]  
14 COREY LYNN BINGHAM, ) Date: June 23, 2005  
15 Defendant. ) Time: 10:00 A.M.  
16 ) Judge: Hon. David F. Levi  
17 )

---

18 IT IS HEREBY STIPULATED by and between the parties hereto through  
19 their respective counsel, PHILLIP TALBERT, Assistant United States  
20 Attorney, attorney for Plaintiff, LINDA HARTER, Assistant Federal  
21 Defender, attorney for defendant, that the current Status Conference  
22 date of June 2, 2005 be vacated and a new Status Conference date of  
23 June 23, 2005 at 10:00 a.m. be set.

24 Defense counsel was just newly substituted into this cases and  
25 only recently received discovery from the government. Additionally,  
26 defense counsel will be out of state on the current status conference  
27 date.  
28

///

It is further stipulated and agreed between the parties that the period beginning June 2, 2005 to June 23, 2005, should be excluded in computing the time within which the trial of the above criminal prosecution must commence for purposes of the Speedy Trial Act for defense preparation. All parties stipulate and agree that this is an appropriate exclusion of time within the meaning of Title 18, United States Code, Section 3161(h)(8)(iv) (Local Code T4) and that the ends of justice to be served by a continuance outweigh the best interests of the public and the defendant in a speedy trial.

Dated: June 1, 2005

Respectfully submitted,

QUIN DENVIR  
Federal Defender

/S/LINDA HARTER  
LINDA HARTER  
Assistant Federal Defender  
Attorney for Defendant  
COREY LYNN BINGHAM

MCGREGOR W. SCOTT  
United States Attorney

Dated: June 1, 2005

BY: /S/PHILLIP TALBERT  
PHILLIP TALBERT  
Assistant U.S. Attorney

## ORDER

Based on the parties' stipulation and good cause appearing therefrom, the Court hereby adopts the stipulation of the parties in its entirety as its order. The Court specifically finds that the ends of justice served by the granting of such continuance outweigh the interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

DATED: 6/2/2005

DAVID F. LEVI  
United States District Judge

Stipulation and order/Frederico Pizano/Cr-S-05-174 DFL